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Security Council

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Report of the Secretary-General on the implementation of Security Council resolutions 425 (1978) and 426 (1978)

1. The present report is submitted pursuant to my report of 22 May 2000 on the implementation of Security Council resolutions 425 (1978) and 426 (1978) (S/2000/460), which the Council endorsed on 23 May 2000 through the statement of the President of the Security Council (S/PRST/2000/18). I am writing to inform the Council that Israel has met the requirements defined in my report of 22 May. I am, therefore, in a position to confirm that Israeli forces have withdrawn from Lebanon in compliance with resolution 425 (1978).

Mission of the Special Envoy

2. On 24 May 2000, my Special Envoy, Terje Roed-Larsen, and a team of technical experts returned to Lebanon to follow up, together with the Force Commander of the United Nations Interim Force in Lebanon (UNIFIL), on the implementation of my report of 22 May 2000. Between 24 May and 7 June, my Special Envoy and his team maintained frequent contact with the President and Prime Minister of Lebanon, as well as with the Speaker of Parliament and other Lebanese leaders. My Special Envoy met twice with the Prime Minister of Israel and, together with his team, also met the Minister for Foreign Affairs. My Special Envoy also met with the Minister for Foreign Affairs of the Syrian Arab Republic. At the technical level, a number of meetings were held separately by the United Nations experts with their counterparts from the Governments of Israel and Lebanon.

3. I would like to thank the Governments of both Israel and Lebanon for extending their cooperation to my Special Envoy and his team throughout their mission. I would similarly like to thank the Government of the Syrian Arab Republic for its support, as well as the Governments of Egypt, Jordan, the Islamic Republic of Iran and Saudi Arabia for the constructive and supportive statements that they have made through this process.

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Implementation of Security Council resolution 425 (1978): fulfilment of the requirements established in the report of 22 May 2000

4. In my report of 22 May, I set out what the United Nations required of Israel, Lebanon and the Syrian Arab Republic as well as the international community in order for resolutions 425 (1978) and 426 (1978) to be implemented fully.

5. I established three principal requirements for confirming an Israeli withdrawal in compliance with resolution 425 (1978): (a) the withdrawal of Israeli military and civilian personnel from Lebanese territory; (b) the dismantling of Israel's auxiliary force, known as the South Lebanon Army (SLA); and (c) the freeing of all detainees from Al-Khiam prison. I can today confirm that those requirements, endorsed by the Security Council, have been met.

Identifying the line for the purpose of confirming Israel's withdrawal

6. The Security Council will recall my view, expressed in my report of 22 May, that, in order to confirm whether Israel had withdrawn in accordance with resolution 425 (1978), the United Nations needed to identify a line to be adopted conforming to the internationally recognized boundaries of Lebanon based on the best available cartographic and other documentary material. During the mission of 26 April to 9 May 2000, undertaken by my Special Envoy and his team to the region, the parties and others were requested to provide information relevant to identifying this line to the United Nations by 15 May.[1] A map was subsequently prepared based on the information available to the United Nations.

7. Upon returning to the region, my Special Envoy and his team immediately began to discuss with the parties translating this line from the map to a line on the ground. During these technical consultations, which included joint United Nations-Israeli and United Nations-Lebanese on-site visits, certain refinements were made to the withdrawal line. In particular, the Government of Lebanon provided geographical coordinates that had not previously been made available to the United Nations.

8. The United Nations experts carefully considered all adjustments requested by both sides, while recalling that my report to the Security Council of 22 May had

[1] As noted in my report of 22 May, the international boundary between Israel and Lebanon was established pursuant to the 1923 Agreement between France and Great Britain entitled "Boundary Line between Syria and Palestine from the Mediterranean to El Hamme", which was reaffirmed in the "Israeli-Lebanese General Armistice Agreement" signed on 23 March 1949. Subsequently, there was a joint survey conducted under the auspices of the Mixed Armistice Commission, although there is no record that both Governments approved and adopted the geographic coordinates that were produced as part of this survey. There were, however, mutually agreed modifications to a limited number of segments of the boundary. Concerning the border between Lebanon and the Syrian Arab Republic, no international boundary agreement has been concluded between the two countries; therefore I recommended in my report of 22 May that the line separating the area of operations of UNIFIL from that of the United Nations Disengagement Observer Force (UNDOF) be adopted for the purpose of confirming Israel's withdrawal from Lebanon.

stated clearly that the United Nations was not engaged in a border demarcation exercise. Refinements were considered only insofar as they could be justified on cartographic grounds consistent with the body of information already available to the United Nations.

9. On 3 June, my Special Envoy met with the President and Prime Minister of Lebanon. He informed them that the technical discussions related to the withdrawal line had been concluded and that he would travel the next day to Israel to present the Prime Minister with the results of the discussions concerning the withdrawal line. My Special Envoy met with the Prime Minister of Israel on 4 June for this purpose.

10. On 5 June, my Special Envoy announced that consultations on this matter had been concluded. During the consultations, the Governments of Israel and Lebanon each informed my Special Envoy that some segments of the withdrawal line did not conform to how the respective Governments defined this border.

11. On 6 June, the Force Commander of UNIFIL formally transmitted the map of the withdrawal line to his Lebanese and Israeli counterparts. (A copy of the map is attached to the present report. A large-scale map is available in the office of the United Nations cartographic unit.)

Position of the Government of Lebanon

12. On 6 June 2000, the Government of Lebanon informed my Special Envoy that its position on the Israeli withdrawal was the following:

> In resolution 425 (1978), the Security Council called for the "strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries". It also called upon Israel to "withdraw forthwith its forces from all Lebanese territory". The Security Council also decided "in light of the request of the Government of Lebanon to establish immediately under its authority a United Nations interim force for Southern Lebanon", one of the tasks of which would be to confirm the withdrawal of Israeli forces.
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> As mentioned in the report of the Secretary-General of 22 May 2000 on the implementation of Security Council resolutions 425 (1978) and 426 (1978), for the purpose of confirming the Israeli withdrawal, the United Nations needed to "identify a line to be adopted conforming to the internationally recognized boundaries of Lebanon based on the best available cartographic and other documentary material". The United Nations would then identify "physically on the ground those portions of the line necessary or relevant to confirming the withdrawal of Israeli forces".
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> The report of the Secretary-General also stated that the international boundary between Israel and Lebanon was established pursuant to the 1923 Agreement between France and Great Britain entitled "Boundary Line between Syria and Palestine from the Mediterranean to El Hamme". This line was reaffirmed in the "Israeli-Lebanese General Armistice Agreement signed on 23 March 1949". Subsequently there were several modifications mutually agreed by Israel and Lebanon.

Between 24 May and 2 June 2000, the line identified by the United Nations, which was adopted conforming to the internationally recognized boundaries of Lebanon as mentioned above, for the purpose of confirming the Israeli withdrawal from Lebanon was discussed on several occasions at meetings between the Government of Lebanon and the United Nations Special Envoy and his delegation. During that same period, this line was also physically shown on the ground to representatives of the Government by United Nations cartographers and members of UNIFIL.

The Government of Lebanon considers that this line does not conform in three locations to the internationally recognized border with Israel, and affirms that these locations are part of Lebanese territory. This affirmation was based essentially on the 1923 Treaty, the Israeli-Lebanon General Armistice Agreement, and the same principles admitted to confirm the Israeli withdrawal all along the internationally recognized boundary between Lebanon and Israel.

Concerning the Shab'a farmlands, Lebanon's position is that this area lies within Lebanon, and the Syrian position is that the farmlands are Lebanese. The withdrawal line that has been identified by the United Nations is, as stated in the Secretary-General's report, "without prejudice to future border agreements between the Member States concerned". Therefore, in adopting the UNIFIL-United Nations Disengagement Observer Force (UNDOF) line as the line for confirming the withdrawal of Israeli forces, the United Nations has not established any legally binding or relevant precedents concerning this part of the border between Lebanon and the Syrian Arab Republic.

But concerning the eastern part of the border between Lebanon and the Syrian Arab Republic, stretching beyond the upper limit of the Shab'a farmlands area, Lebanon is insisting on the Israeli withdrawal from all occupied Lebanese territory in the Mount Hermon area, in conformity with Security Council resolution 425 (1978), which called on Israel to withdraw forthwith from all Lebanese territory.

The Government of Lebanon also insists on the immediate liberation of all Lebanese hostages and detainees (as well as the return of all Lebanese corpses) from Israeli prisons, since this situation was related to the period of occupation and its consequences.

The Government of Lebanon considers that all the equipment and infrastructure related to water, established by Israel during its occupation of Lebanese territory, should immediately be disconnected as part of the Israeli withdrawal, within the framework of resolution 425 (1978). In addition, the Government of Lebanon requests an immediate United Nations investigation into why the southern part of the Hasbani River runs dry.

The Government of Lebanon reaffirms that it will continue to cooperate fully with the United Nations, in accordance with Security Council resolutions 425 (1978) and 426 (1978).

Position of the Government of Israel

13. On 8 June 2000, the Prime Minister of Israel informed me that the position of Israel was the following:

> Israel continues to have serious reservations in relation to the map prepared by the United Nations delineating the line to which Israel should redeploy in order to implement Security Council resolution 425 (1978). For example, in Israel's opinion, the course of the line chosen by the United Nations in the area of Border Pillar 4 and in the vicinity of the village of Metula is inaccurate. Similarly, Israel has consistently voiced its position that a line prepared for the purpose of implementing Security Council resolution 425 (1978) should not extend to the east of the Hasbani River. Nevertheless, based primarily on the consistent statements by the United Nations that the current line should not be interpreted as prejudicing either side's positions in relation to the location of the international boundary, Israel decided to accept the United Nations line for the purpose of the Israeli withdrawal. Israel understands that any and all claims, by either side, in relation to the location of the international boundary shall be reserved for the future peace negotiations.
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> Israel's understanding of the mandate of the cartographic team was that the identification and marking of the line should be a technical stage only and should in no way change the course of the United Nations map line.
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> Even prior to the arrival of the United Nations team in the area, Israel had already begun the process of dismantling positions and infrastructure that were seen by Israel as deviating from the United Nations line, and of preparing an alternative defensive line. These actions were taken in order to expedite the process as much as possible.
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> Upon its arrival, the Israeli side assisted the United Nations cartographic team in identifying the line and in placing United Nations markings along its length. This process was finalized by 27 May 2000. However, when the United Nations team subsequently returned from deliberations with the Government of Lebanon, it raised various changes in the line, based largely on a list of coordinates prepared during the 1950s, the legal validity of which is extremely questionable. Israel considers such proposals to be clearly outside the scope of the mandate of the cartographic team in accordance with the Secretary-General's report.
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> Notwithstanding the above, Israel decided to accede to the United Nations request and accept modifications on the ground in four specific locations, despite the fact that accepting the new United Nations proposals required the dismantling of additional infrastructure and Israeli Defence Forces (IDF) positions. Israel's decision in this regard was reached due to our sincere desire to cooperate with the United Nations in the implementation of Security Council resolution 425 (1978), and to establish a stable environment along the line as rapidly as possible.
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> Israel understands that its agreement to these changes would comprise the final resolution of the United Nations map line issue. As a result, Israel was deeply disturbed, upon sending its professional teams to the field in order to implement this understanding, to discover that additional changes were now

being raised. In spite of deep reservations, relating both to the new changes and to the entire process, and with the goal of bringing the entire operation to a speedy conclusion, Israel decided to accede to these amendments as well.

It is Israel's distinct impression that this turn of events was the result of the fact that, while Israel was doing its utmost to cooperate with the United Nations in the fulfilment of its mandate, other interested parties were doing all in their power to achieve the opposite result.

Israel has undertaken a historic step. It has publicly acknowledged Security Council resolution 425 (1978); publicly supported the report of the Secretary-General of 22 May; implemented on the ground a withdrawal of Israeli forces to behind the United Nations map line; and fully cooperated with the United Nations in identifying and marking the line on the ground. All these steps have been taken in the face of extreme hazards and uncertainty.

In accordance with the sequence of events envisaged in your report, it is now time for all other parties to fulfil their undertakings: the United Nations should publicly acknowledge that Israel has fulfilled its obligations; UNIFIL should be fully deployed, and should exert maximum effort in facilitating quiet and stability along the line; the Lebanese Government should take all necessary steps to assume full responsibility over all of Lebanon; and both Lebanon and the Syrian Arab Republic must take all required measures to ensure the complete cessation of all hostile activities against Israel.

In Israel's opinion, only if all the parties involved fully comply with their undertakings is there a real chance of establishing and maintaining a peaceful and stable reality on the ground. Such a reality, in turn, could greatly facilitate the re-energizing of the peace process with both the Syrian Arab Republic and Lebanon, which should be our ultimate objective.

As a final note, Israel wishes to refer again to the issue of the village of Rajr. While the course of the line in the area of the village has been determined, the actual regime to be applied should enable the continuation of the normal life of its residents. The village of Rajr, a former Syrian village, now being partially divided by the United Nations line between Israel and Lebanon, poses a humanitarian problem of the highest order. In this context, Israel calls upon the assistance of the United Nations in reaching a solution for this issue to be based upon the principles of fairness, practicality and humanity.

14. Notwithstanding the reservations of the two Governments about the withdrawal line, Israel and Lebanon have confirmed that identifying this line was solely the responsibility of the United Nations and that they will respect the line as identified. The United Nations experts completed their work in marking relevant portions of this line on the ground on 7 June 2000.

Confirming Israeli compliance with Security Council resolution 425 (1978)

15. As soon as the Security Council endorsed my report of 22 May, UNIFIL began using mobile patrols of observers to determine that positions previously known to be held by IDF and SLA were no longer occupied. By 16 June, UNIFIL was in a

position to confirm that Israeli forces had withdrawn from Lebanon in compliance with the line of withdrawal identified by the United Nations.

16. Further, UNIFIL reported on 16 June that it had observed no incursions into Lebanese air space or territorial waters.

17. Concerning SLA, my report established that it was the responsibility of the Government of Israel to ensure that the de facto force, known as the South Lebanon Army (SLA) ceases to exist. In this connection, three requirements were identified: (a) the command structure of SLA must be dismantled; (b) logistical support and supplies of any type from the Government of Israel must cease; and (c) heavy weapons in the possession of SLA, including tanks, artillery and mortar, must be removed or destroyed. UNIFIL has confirmed that SLA has disbanded. Many of its personnel and their families have gone to Israel; others have given themselves up or have been turned over to the Lebanese authorities. Some of the SLA's heavy weapons have been taken to Israel or destroyed by the Israeli forces; the Government of Lebanon informed my Special Envoy that the remainder of the weapons have been collected by the Lebanese authorities or turned over to the authorities by Lebanese who had taken them.

18. Concerning the detainees held at Al-Khiam prison, all were freed when the prison was opened by the local inhabitants on 22 May.

Cooperation of the Government of Lebanon

19. In my report of 22 May, I requested the cooperation of the Government of Lebanon in the process of identifying, on the ground, the line to be used for the purpose of confirming the withdrawal. The Government appointed a team of technical experts to work with the United Nations cartographers and several joint visits to the area of the withdrawal line were made, by both UNIFIL helicopters and vehicles.

Return of the effective authority of the Government of Lebanon in the area

20. In my report of 22 May, I observed that as soon as the United Nations had confirmed that the Israeli withdrawal had been completed in compliance with the requirements established in that report, the Lebanese Government should resume the normal responsibilities of a State throughout the area. As Israel withdrew its forces from Lebanon, the Government of Lebanon began to reassert law and order functions throughout the area. According to the Government, there are at present approximately 1,000 members of various police and security agencies present in southern Lebanon. They have established police stations, set up roadblocks and pursued active patrolling. Customs officials have also been sent to the area to prevent the illegal import of goods, vehicles and products made in Israel. Progress in the return of law and order functions of the Government of Lebanon as well as the resumption of public services in the area has been encouraging.

21. I stated in my report of 22 May that the Lebanese armed forces should ensure that all national territory falls under the effective authority of the Government. The Government has said that it would consider deploying the armed forces in southern

Lebanon once I had confirmed that Israel had met its obligations under Security Council resolution 425 (1978). The deployment of the armed forces is an essential element of the return of the effective authority of the Government in the area. This deployment should be conducted in coordination with UNIFIL's redeployment in its area of operations. Now that I can confirm Israel's withdrawal, I anticipate that the Government of Lebanon will systematically address this matter. I was pleased to learn on 12 June that, as an important first step, a composite special unit, comprising army and internal security personnel, is to deploy to the formerly Israeli-controlled area and establish its operational command at Marjayoun, and two regional commands at Marjayoun and Bint Jibayl.

22. Since the first mission of my Special Envoy to Lebanon, the United Nations has expressed its concern for the well-being of the inhabitants of southern Lebanon. The Security Council may recall from my last report that the Government of Lebanon had given assurances in this regard. In particular, the President, the Prime Minister and the Speaker of the Parliament had affirmed to my Special Envoy that acts of vengeance would not be tolerated. Since the beginning of the withdrawal of Israeli forces, the Government of Lebanon as well as political figures throughout the country have publicly endorsed the impartial application of the rule of law throughout the area. The Government of Lebanon has handled this sensitive matter in a positive manner. The United Nations knows of no acts of vengeance, although some looting is reported to have occurred on a small scale.

23. With the completion of the Israeli withdrawal, Lebanese sovereignty has been restored to the Lebanese side of the village of Ghajar. This village is located partly in Lebanon and partly in the Syrian Arab Republic; the Lebanese side was apparently subject to de facto Syrian control and united with the Syrian side of the village in 1963; both sides were occupied by Israel in 1967 and then annexed by Israel in 1981. The withdrawal line identified by the United Nations placed two thirds of the village in Lebanon and one third in the Israeli-occupied part of the Syrian Arab Republic. UNIFIL confirmed on 16 June 2000 that Israeli forces had been withdrawn from the Lebanese side of the village.

24. Given this unusual situation, I have written to President Lahoud advising him that it would not be conducive to the maintenance of public order and peace if either UNIFIL or the Government of Lebanon were to deploy military, security or civilian personnel in the village at this stage. For this reason, I have advised both the President of Lebanon and the Prime Minister of Israel that UNIFIL will not, for the time being, deploy inside the village, but will be present nearby. I have further advised that, in my view, the situation there is highly volatile and that measures must first be taken to reduce tension and ensure the smooth and effective assumption of public order and administrative functions by Lebanon in regard to the northern two thirds of the village. I have also written to Prime Minister Barak, noting that there can be no doubt that two thirds of the village lies within Lebanese territory and that assisting the Government of Lebanon in the return of its effective authority in the south of the country was one of UNIFIL's principal tasks. I have assured both parties that the United Nations stands ready to assist in this endeavour.

25. As I indicated in my report of 22 May, the Lebanese Government has developed plans for the reconstruction of southern Lebanon. The Government has placed a strong emphasis on the need for quick action on this matter. The United Nations is giving its full support to the Government in its efforts to improve living

conditions in the area. My Special Envoy, the United Nations Development Programme (UNDP) and the World Bank will be working together on coordination arrangements to ensure early mobilization of resources and support for the rehabilitation and reconstruction of southern Lebanon.

Cooperation from the Government of the Syrian Arab Republic as requested in the report of 22 May 2000

26. In my report of 22 May, I asked the Government of the Syrian Arab Republic for its cooperation on all relevant matters and can report to the Security Council that my Special Envoy has received such cooperation.

Conditions of security and safety in the area

27. The military and security situation in the former Israeli-controlled area can be described as calm and relatively stable. There were reports of some stone throwing and shooting incidents at the Fatma/Metulla gate, and two Lebanese civilians were injured by IDF rubber-bullet rounds on 28 May. Subsequently, the Lebanese authorities set up roadblocks and restricted passage to the border, while armed elements erected earth barriers to block the approach to the gate. As a result, the tension has substantially subsided. Strict restrictions on movement to the border will have to be maintained to avoid further incidents and casualties. The Lebanese forces have also destroyed a number of abandoned IDF and SLA positions.

28. The visible presence of armed elements has been steadily decreasing throughout the area and their checkpoints have been removed. In general, the armed elements have been acting in a responsible and disciplined manner.

29. UNIFIL has maintained a visible presence by means of proactive patrolling, which has had a very useful and calming effect on the security situation and has been clearly welcomed by the local population. UNIFIL troops have also engaged in humanitarian assistance to the local population. Food packages and water are being distributed to needy families. All battalions continue to provide medical assistance to the local population and a medical and dental clinic has been set up in the area. UNIFIL also assisted in the return of some SLA members and their families from Israel by providing transportation from the border and accompanying them to the Lebanese authorities.

Future role of the United Nations Interim Force in Lebanon

30. The first phase of the reinforcement of UNIFIL, as outlined in my report of 22 May 2000, is currently under way, and I expect that the force will reach the level of 5,600 troops early next month.

31. I stated in my report of 22 May that, once the Israeli withdrawal is confirmed, and if the security situation permits, UNIFIL would have to be further reinforced with two mechanized infantry battalions. Owing to time constraints, I stressed that the troop reinforcements were required to possess a high degree of self-sufficiency and the capability of deploying to the mission area using their own national assets. I also indicated that, should the resources requested not be made available in a timely

manner, there is a possibility that UNIFIL would be unable to adequately cover its full area of operations.

32. I wish to inform the Security Council that no firm commitments that meet these criteria have yet been made for the additional infantry units, and I am not, therefore, in a position to state when they will be available and deployed.

33. In the meantime, UNIFIL will use the resources available to it to extend its deployment in those areas not covered at present by the Force. To that end, UNIFIL will establish patrol bases in a number of locations, set up temporary observation posts as appropriate and undertake active patrolling throughout those areas. The Force will also continue to provide humanitarian assistance to the local population.

34. At the same time, UNIFIL is discussing with the Government of Lebanon ways and means to rapidly reassert its authority in the south, in particular with a view to enabling UNIFIL to adapt and reinforce its own presence in the area vacated by the Israeli forces.

35. In accordance with resolution 425 (1978), UNIFIL will use its best efforts to help prevent the recurrence of fighting and to create the conditions for the restoration of the effective authority of the Government of Lebanon in this area. The guidelines for the operations of UNIFIL, contained in the report of the Secretary-General on the implementation of resolutions 425 (1978) and 426 (1978), and approved by the Council, continue to be applicable.

36. The security and safety of United Nations personnel remains a central concern, and I wish to emphasize once again that the Government of Lebanon has the primary responsibility for ensuring the security and safety of United Nations personnel on Lebanese territory. The President has confirmed that the Government of Lebanon would work to ensure the security and safety of UNIFIL.

Conclusion

37. Israel has met the requirements for the implementation of Security Council resolution 425 (1978) as set forth in my report to the Council of 22 May 2000. Namely, Israel has completed its withdrawal in conformity with the line identified by the United Nations, SLA has been dismantled; accordingly there are no more supply lines; its heavy weapons have been removed or destroyed by Israel or are now in the hands of the Government of Lebanon; and there are no more detainees at Al-Khiam prison.

38. The Government of Lebanon cooperated with the United Nations in the implementation of the report of 22 May and has moved quickly to re-establish its effective authority in the area through the deployment of security forces in the area. On 12 June, the Government informed the United Nations that it would send a composite force composed of army and internal security personnel to be based in Marjayoun. Although the Government has not yet deployed the armed forces throughout southern Lebanon, it has stated that it will consider doing so as soon as I have confirmed Israel's withdrawal in compliance with Security Council resolution 425 (1978) and my report of 22 May 2000.

39. The Government of the Syrian Arab Republic was very cooperative throughout the latest mission of my Special Envoy, as were other interested Member States in the region and elsewhere.

40. On the basis of these developments, I can report to the Security Council that Israel has withdrawn its forces from Lebanon in accordance with resolution 425 (1978) and met the requirements defined in my report of 22 May 2000.

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